

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1700

AUTHORIZING THE SEMINOLE TRIBE OF FLORIDA TO LEASE OR TRANSFER CERTAIN LAND

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (S. 108) to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 108

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPROVAL NOT REQUIRED TO VALIDATE CERTAIN LAND TRANSACTIONS OF THE SEMINOLE TRIBE OF FLORIDA.

(a) IN GENERAL.—Notwithstanding any other provision of law, without further approval, ratification, or authorization by the United States, the Seminole Tribe of Florida may lease, sell, convey, warrant, or otherwise transfer all or any part of the interest of the Seminole Tribe of Florida in any real property that is not held in trust by the United States for the benefit of the Seminole Tribe of Florida.

(b) TRUST LAND NOT AFFECTED.—Nothing in this section—

(1) authorizes the Seminole Tribe of Florida to lease, sell, convey, warrant, or otherwise transfer all or any part of an interest in any real property that is held in trust by the United States for the benefit of the Seminole Tribe of Florida; or

(2) affects the operation of any law governing leasing, selling, conveying, warranting, or otherwise transferring any interest in any real property that is held in trust by the United States for the benefit of the Seminole Tribe of Florida.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 108, introduced by Senator RUBIO of Florida, will allow the Seminole Tribe of Florida to lease, sell, convey, warrant, or transfer its real property that is not held in trust by the United States.

The Seminole Tribe of Florida is a federally recognized Tribe with its Tribal headquarters located in Hollywood, Florida. It is one of three federally recognized Seminole entities, and many of its enrolled members reside on its six reservations in Florida.

In recent decades, a large portion of the Tribe's economic development strategy has been its investment in commercial real estate properties. So far the Tribe owns one of the largest cattle operations in the U.S., along with the Hard Rock Hotel and Casino franchise and its 74 international properties.

To manage the Tribe's growing portfolio, the Tribal Council established a commercial real estate investment fund to help create generational stability for the Seminole Tribe. Ultimately, the Tribe's hope is to establish a State-chartered subsidiary entity to act as a holding company for certain properties owned by the Tribe.

Unfortunately, the Tribe has been unable to move forward with this project due to concerns raised by lenders and proposed title insurance companies about the Indian Nonintercourse Act.

The act prohibits any "purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from an Indian nation or Tribe of Indians" unless authorized by Congress.

At least two title insurance companies approached by the Tribe have interpreted the act to apply to real estate owned by a State-chartered subsidiary entity of the Tribe. As such, the title companies will not insure the mortgage without an exemption from the act, which in turn effectively kills any ability to finance an acquisition.

S. 108 will, therefore, provide relief from the Indian Nonintercourse Act by clarifying that the Seminole Tribe of Florida has the authority to lease, sell, convey, warrant, or otherwise transfer their interests in property not held in trust by the Federal Government without further approval from the Federal Government.

This bipartisan effort is led in the House by the gentleman from Florida (Mr. SOTO), who is the sponsor of the House companion bill. I congratulate him on his strong advocacy to get this legislation to the President's desk.

S. 108 will allow the Seminole Tribe the ability to continue its economic development, and I urge my colleagues to vote in favor of this bill.

Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank Chairman GRIJALVA and Chairwoman LEGER FERNANDEZ for working together on this bill. I rise in support of S. 108. It is a bill that authorizes the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes.

As Ms. LEGER FERNANDEZ described, this bill would exempt lands held in fee

by the Seminole Tribe of Florida from the limitations imposed by the Indian Nonintercourse Act, which restricts a Tribe from leasing or conveying any lands a Tribe owns without Federal approval.

The act has generated a great deal of confusion and litigation about whether a Tribe can buy, sell, or lease land that it owns. The bill states that the act does not authorize the Tribe to lease, sell, convey, warrant, or otherwise transfer all or any portion of any interest in any real property that is held in trust.

This bill was introduced in response to real estate investment issues encountered by the Seminole Tribe, since at least two title insurance companies would not grant the Tribe insurance.

The bill ensures that the act does not interfere with the ability to convey fee land owned by the Tribe, which would impede the Tribe's economic development activities and hinder job creation.

Madam Speaker, I am prepared to close. I urge adoption of the measure, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I am grateful for this bipartisan legislation. I also think it gives us a path forward on what we might need to do for all Tribes who encounter this issue, but for now I am very much in support of S. 108 and urge my colleagues to support the legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, S. 108.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GOOD of Virginia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

OLD PASCUA COMMUNITY LAND ACQUISITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4881) to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Old Pascua Community Land Acquisition Act".

SEC. 2. DEFINITIONS.

In this Act: